

April 6, 2011



U.S. Department  
of Transportation

East Building, PHH-30  
1200 New Jersey Avenue S.E.  
Washington, D.C. 20590

**Pipeline and Hazardous  
Materials Safety Administration**

DOT-SP 15191

<b>EXPIRATION DATE: March 31, 2013</b>
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(FOR RENEWAL, SEE 49 CFR § 107.109)

1. GRANTEE: TriEst Ag Group, Inc.  
(Formerly Hendrix and Dail, Inc.)  
Greenville, NC
2. PURPOSE AND LIMITATION:
  - a. This special permit authorizes the transportation in commerce of UN1H1 drums as single package for certain toxic by inhalation materials transported by a private motor carrier. This special permit provides no relief from the Hazardous Materials Regulations (HMR) other than as specifically stated herein. The most recent revision supersedes all previous revisions.
  - b. The safety analyses performed in the development of this special permit only considered the hazards and risks associated with the transportation in commerce.
  - c. No party status will be granted to this special permit.
3. REGULATORY SYSTEM AFFECTED: 49 CFR Parts 106, 107 and 171-180.
4. REGULATIONS FROM WHICH EXEMPTED: 49 CFR § 173.227(c) in that shipments must be from one origin to one destination only without any intermediate pickup or delivery, except as specified herein.
5. BASIS: This special permit is based on the application of Hendrix and Dail, Inc. dated November 30, 2010 and additional information dated March 31, 2011, submitted in accordance with § 107.105 and the public proceeding thereon.

6. HAZARDOUS MATERIALS (49 CFR § 172.101):

Hazardous Materials Description			
Proper Shipping Name	Hazard Class/ Division	Identification Number	Packing Group
Chloropicrin	6.1	UN1580	I, Hazard Zone B
Toxic by inhalation liquid, corrosive, n.o.s. with an inhalation toxicity lower than or equal to 1000 ml/m <sup>3</sup> and saturated vapor concentration greater than or equal to 10 LC50 (Chloropicrin, 1,3-Dichloropropene)	6.1	UN3390	I, Hazard Zone B
Toxic by inhalation liquid, n.o.s. with an inhalation toxicity lower than or equal to 1000ml/m <sup>3</sup> and saturated vapor concentration greater than or equal to 10 LC50 (Chloropicrin)	6.1	UN3382	I, Hazard Zone B

7. SAFETY CONTROL MEASURES:

a. PACKAGING - Packaging prescribed are a 55 gallon UN 1H1 plastic drum conforming to the specifications of Mauser Corp. UN-DESIGN CERTIFICATION Original File #157-10 and a 15 gallon UN 1H1 plastic drum conforming to the specifications of Mauser Corp. UN DESIGN CERTIFICATION/PERIODIC RETEST File Number-159-10 on file with the Office of Hazardous Materials Approvals and Permits (OHMAP).

b. OPERATIONAL CONTROLS -

(1) The drums must be loaded into dual drum cages of the design on file with OHMAP in such a manner as to prevent movement.

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(2) The drums must be loaded in or unloaded from the drum cages outside of the transport vehicle.

(3) The shipper must load each loaded drum cage into the enclosed transport vehicle. Once loaded, the drums may not be removed until at the intended destination.

(4) The drum cages must be blocked and braced or otherwise secured to prevent any movement incident to transportation.

(5) Drum cages may not be stacked within the transport vehicle.

(6) The shipper must seal the transport vehicle between destinations.

(7) The shipper must unload the drums from the transport vehicle at each location.

(8) Each dual drum cage must be inspected for damage and defects prior to each reuse. Damaged or defective drum cages must be repaired prior to reuse or removed from service.

8. SPECIAL PROVISIONS:

a. A person who is not a holder of this special permit who receives a package covered by this special permit may reoffer it for transportation provided no modification or change is made to the package and it is reoffered for transportation in conformance with this special permit and the HMR.

b. A current copy of this special permit must be maintained at each facility where the package is offered or reoffered for transportation.

9. MODES OF TRANSPORTATION AUTHORIZED: Motor vehicle.

10. MODAL REQUIREMENTS: A current copy of this special permit must be carried aboard each motor vehicle used to transport packages covered by this special permit.

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11. COMPLIANCE: Failure by a person to comply with any of the following may result in suspension or revocation of this special permit and penalties prescribed by the Federal hazardous materials transportation law, 49 U.S.C. 5101 et seq:

- o All terms and conditions prescribed in this special permit and the Hazardous Materials Regulations, 49 CFR Parts 171-180.
- o Persons operating under the terms of this special permit must comply with the security plan requirement in Subpart I of Part 172 of the HMR, when applicable.
- o Registration required by § 107.601 et seq., when applicable.

Each "Hazmat employee", as defined in § 171.8, who performs a function subject to this special permit must receive training on the requirements and conditions of this special permit in addition to the training required by §§ 172.700 through 172.704.

No person may use or apply this special permit, including display of its number, when this special permit has expired or is otherwise no longer in effect.

Under Title VII of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU)—"The Hazardous Materials Safety and Security Reauthorization Act of 2005" (Pub. L. 109-59), 119 Stat. 1144 (August 10, 2005), amended the Federal hazardous materials transportation law by changing the term "exemption" to "special permit" and authorizes a special permit to be granted up to two years for new special permits and up to four years for renewals.

12. REPORTING REQUIREMENTS: Shipments or operations conducted under this special permit are subject to the Hazardous Materials Incident Reporting requirements specified in 49 CFR §§ 171.15 Immediate notice of certain hazardous materials incidents, and 171.16 Detailed hazardous materials

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incident reports. In addition, the grantee(s) of this special permit must notify the Associate Administrator for Hazardous Materials Safety, in writing, of any incident involving a package, shipment or operation conducted under terms of this special permit.

Issued in Washington, D.C.:



for Dr. Magdy El-Sibaie

Associate Administrator for Hazardous Materials Safety

Address all inquiries to: Associate Administrator for Hazardous Materials Safety, Pipeline and Hazardous Material Safety Administration, U.S. Department of Transportation, East Building PHH-30, 1200 New Jersey Avenue, Southeast, Washington, D.C. 20590.

Copies of this special permit may be obtained by accessing the Hazardous Materials Safety Homepage at [http://hazmat.dot.gov/sp\\_app/special\\_permits/spec\\_perm\\_index.htm](http://hazmat.dot.gov/sp_app/special_permits/spec_perm_index.htm). Photo reproductions and legible reductions of this special permit are permitted. Any alteration of this special permit is prohibited.

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